

### **REMARKS/ARGUMENTS**

This paper is submitted in response to the Office Action mailed February 26, 2007. At that time, claims 1-16 and 17-27 were pending in the application. In the Office Action, the Examiner rejected claims 1, 4-6, 8-11, 14-16 and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,588,793 issued to Rose (hereinafter "Rose") in view of U.S. Patent No. 5,687,987 to Spencer *et al.* (hereinafter "Spencer"). Claims 2-3, 12-13 and 21-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rose in view of Spencer and in further view of U.S. Patent No. 5,951,038 issued to Taguchi *et al.* (hereinafter "Taguchi").

By this paper, Applicants respectfully respond to the issues raised in the Office Action. Favorable consideration and allowance of the claims is respectfully requested.

#### **I. Rejection of Claims 1, 4-6, 8-11, 14-16 and 18-20 Under 35 U.S.C. § 103(a)**

Claims 1, 4-6, 8-11, 14-16 and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rose in view of Spencer. This rejection is respectfully traversed.

The M.P.E.P. states that to establish a case of obviousness, all the claim elements must be taught or suggested by the prior art references. *See* M.P.E.P. § 2142. With respect to independent claims 1 and 11, this claim has been amended to recite that "the diffuser sleeve is substantially transverse to the inflator sleeve." Support for this amendment is found throughout Applicant's specification including, for example, Figures 1A through 3 and page 14, lines 1-6. This claim element is not taught or suggested by either Rose or Spencer. Specifically, to the extent that Rose and/or Spencer may be interpreted as disclosing a "diffuser sleeve" or an "inflator sleeve," the "diffuser sleeve" taught by these references is clearly parallel to the "inflator sleeve." Accordingly, as these claims fail to teach or suggest the element that the diffuser sleeve is substantially transverse to the inflator sleeve, the rejection under § 103(a) must be withdrawn. Favorable consideration is respectfully requested.

Claims 4-6, and 8-10 depend, either directly or indirectly, from independent claim 1. Claims 14-16 and 18-20 depend, either directly or indirectly, from independent claim 11. Accordingly, these dependent claims are patentable over the cited references for the same

reasons as outlined in conjunction with independent claims 1 and 11. Withdrawal of these rejections is respectfully requested.

## **II. Rejection of Claims 2-3, 12-13 and 21-27 Under 35 U.S.C. § 103(a)**

Claims 2-3, 12-13 and 21-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rose in view of Spencer and in further view of Taguchi. This rejection is respectfully traversed.

As noted above a claim can be rejected under § 103(a) only if each of the claim elements are taught or suggested by the prior art references. *See* MPEP § 2143.03. As part of the present paper, independent claim 21 has been amended to recite that the “diffuser sleeve is substantially transverse to the inflator sleeve.” As noted above, this claim element is not taught or suggested by either Rose or Spencer. Likewise, Applicant submits that Taguchi also fails to teach or suggest this claim element. Thus, because the combination of Rose, Spencer and Taguchi fails to teach or suggest that the “diffuser sleeve is substantially transverse to the inflator sleeve,” this combination of references cannot be used to reject independent claim 21 under § 103(a). Withdrawal of this rejection is respectfully requested.

Claims 22-27 depend, either directly or indirectly, from independent claim 21. Accordingly, these dependent claims are patentable over the cited references for the same reasons as outlined in conjunction with independent claim 21. Withdrawal of these rejections is respectfully requested.

Claims 2-3 depend from independent claim 1 whereas claims 12-13 depend from independent claim 11. As a result of this paper, all of these claims require that the “diffuser sleeve is substantially transverse to the inflator sleeve.” As explained herein, this claim element is not taught by Rose, Spencer, or Taguchi. Accordingly, these claims are similarly patentable. Withdrawal of this rejection is respectfully requested.

## **III. Conclusion**

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

  
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